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Lon S. Safko  
2036 East Catamaran Drive  
Gilbert AZ 85234

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JUL 23 2007

**OFFICE OF PETITIONS**

In re Patent No. 7,072,949 :  
Issue Date: July 4, 2006 :  
Application No. 09/665,368 :  
Filed: September 19, 2000 :  
Attorney Docket No. 0200865 :  
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NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3230.

*Shirene Willis Brantley*  
Shirene Willis Brantley  
Petitions Attorney  
Office of Petitions

CC: BRYAN CAVE LLP  
TWO NORTH CENTRAL AVENUE  
SUITE 2200  
PHOENIX, AZ 85004-4406